

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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MARK ALAN BYRD, 142221,
Plaintiff,

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

v.

2:08-CV-244-MHT

WARDEN K. JONES, et al.,
Defendants.

MOTION TO COMPEL DEFENDANT'S TO
COMPLY WITH COURT ORDER

Comes now the plaintiff, pro se, and hereby moves this Honorable Court for an Order directing the defendants to provide documents as previously ordered by this Court (doc. 5, pg. 2, para 3), specifically, Administrative Regulations 403 and 440, any mental health evaluations with any other related psychiatric documents, and complete copies (front and back) of the synopsis to the disciplinary hearing and the approved disciplinary report.

In support thereof the plaintiff would show the following:

1) Mental health issues are part of the complaint and the relevant material should be part of the record.

2) Violations of Admin. Regs. 423 and 440 are a major issue and copies of these regs should be part of the record.

3) This Honorable Court has already ordered the defendants to provide these documents as part of their Answer (doc. 5, pg. 2, para 3) and they failed to do so.

4) These documents are referred to throughout the proceedings and are in the care and custody of defendants.

WHEREFORE, premises considered, the plaintiff moves for an Order compelling the defendants to comply with this Honorable Court's Order as described herein.

Done this 17th day of
June, 2008.

Respectfully Submitted,

Mark A. Byrd 142221

Mark Alan Byrd 142221
Plaintiff, pro se

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of June, 2008, I did serve a copy of the listed documents on the attorney for defendants to include the following:

- 1) Motion To Compel Defendants To Comply With Court Order
- 2) Motion For Appointment of Counsel
- 3) Response to Defendants Answer
- 4) Affidavit A
- 5) Affidavit B
- 6) Affidavit C
- 7) Affidavit of Jody Ponder
- 8) Affidavit of John Duncan
- 9) Affidavit of Timothy Mock

with first-class postage prepaid and properly addressed as follows:

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